

PTO FAX NO.: 703 / 872-9306

Atty Docket No. 019916-004100US

ATTENTION: Examiner SMITH, Zandra V.  
TELEPHONE NO.: (703) 305-7776

Group Art Unit 2876

**OFFICIAL COMMUNICATION  
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**Examiner SMITH, Zandra V.**

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I hereby certify that the following document(s) in re Application of STEPHEN A. EMPEDOCLES  
et al., Application No. 09/827,256, filed April 5, 2001  
for SPATIAL POSITIONING OF SPECTRALLY LABELED BEADS  
is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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*Nancy Pizzo*  
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Document(s) Attached

1. Transmittal form
2. Application Data Sheet (3 pgs)
3. Amendment (8 pgs)

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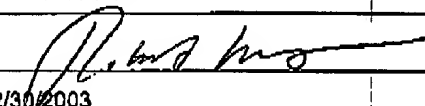
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
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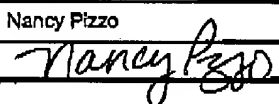
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|  |                        |                        |
|--|------------------------|------------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> | Application Number     | 09/827,256             |
|  | Filing Date            | April 5, 2001          |
|  | First Named Inventor   | EMPEDOCLES, STEPHEN A. |
|  | Art Unit               | 2876                   |
|  | Examiner Name          | Smith, Zandra V.       |
| Total Number of Pages in This Submission   | Attorney Docket Number | 019916-004100US        |

| ENCLOSURES (Check all that apply)  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Application Data Sheet<br>Return Postcard |
| Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.  |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |                 |
|--|---|-----------------|
| Firm or Individual                         | Townsend and Townsend and Crew LLP<br>Robert F. Kramer                              | Reg. No. 51,242 |
| Signature                                  |  |                 |
| Date                                       | 12/30/2003  |                 |

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| Typed or printed name   | Nancy Pizzo   |               |
| Signature   |  | Date 12/30/03 |

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By:

*Nancy Pizzo*  
Nancy Pizzo

PATENT

Attorney Docket No.: 019916-004100US

Client Ref. No.: 0010C-US

Customer No.: 20350

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

STEPHEN A. EMPEDOCLES et al.

Application No.: 09/827,256

Filed: April 5, 2001

For: SPATIAL POSITIONING OF  
SPECTRALLY LABELED BEADS

Confirmation No. 4344

Examiner: Smith, Zandra V.

T.C./Art Unit: 2876

AMENDMENT

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed October 1, 2003, please enter the following amendments and remarks:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.